

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

***** 769.32a THIS SECTION IS REPEALED BY ACT 465 OF 2014 EFFECTIVE JANUARY 12, 2019

769.32a Criminal justice policy commission; creation; appointment; membership; chairperson; terms; vacancy; salary; expenses; subcommittees; conduct of business at public meetings; quorum; writing available to public; office space, staff, and equipment.

Sec. 32a. (1) A criminal justice policy commission is created in the legislative council. Before March 1, 2015, the governor shall appoint the commission members described in subdivisions (d) to (o). The commission consists of all of the following members:

(a) Two individuals who are members of the senate submitted by the senate majority leader, 1 individual from each caucus.

(b) Two individuals who are members of the house of representatives submitted by the speaker of the house of representatives, 1 individual from each caucus.

(c) The attorney general, or his or her designee.

(d) One individual who is a circuit court judge, appointed from a list of 3 names submitted by the Michigan judges association.

(e) One individual who is a district court judge, appointed from a list of 3 names submitted by the Michigan district judges association.

(f) One individual who represents the prosecuting attorneys of this state, appointed from a list of 3 names submitted by the prosecuting attorneys association of Michigan.

(g) One individual who represents criminal defense attorneys, appointed from a list of 3 names submitted by the criminal defense attorneys of Michigan.

(h) One individual appointed from a list of 3 names submitted by the Michigan sheriff's association.

(i) One individual appointed from a list of 3 names submitted by the director of the Michigan department of corrections.

(j) One individual who represents advocates of alternatives to incarceration.

(k) One individual who works in the mental or behavioral health care field.

(l) One individual appointed from a list of 3 names submitted by the Michigan association of counties.

(m) One individual who represents Michigan association of community corrections advisory boards.

(n) One individual appointed from a list of 3 names submitted by the Michigan coalition to end domestic and sexual violence.

(o) One member of the public who is neither affiliated with nor employed by a department, office, or entity described in this subsection, by the commission created under this subsection, or by any entity employed or hired by the commission created under this subsection.

(2) The member of the public appointed by the governor under subsection (1)(o) shall serve as the chairperson of the criminal justice policy commission.

(3) Except as otherwise provided in this subsection, the commission members shall be appointed for terms of 4 years. Of the members first appointed under subsection (1)(d) to (o), 4 members shall serve for 2 years, 4 members shall serve for 3 years, and 4 members shall serve for 4 years. The members of the commission appointed under subsection (1)(a) and (b) shall be appointed for terms of 2 years.

(4) A vacancy on the commission caused by the expiration of a term or a resignation or death shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy caused by a resignation or death shall be appointed for the balance of the unexpired term.

(5) A commission member shall not receive a salary for being a commission member but shall be reimbursed for his or her reasonable, actual, and necessary expenses incurred in the performance of his or her duties as a commission member.

(6) The commission may establish subcommittees that may consist of individuals who are not members of the commission, including, but not limited to, experts in matters of interest to the commission.

(7) The commission's business shall be conducted at public meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(8) A quorum consists of a majority of the members of the sentencing commission. All commission business shall be conducted by not less than a quorum. A vote of the majority of the members of the commission present and serving is required for the official action of the commission.

(9) A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of

information act, 1976 PA 442, MCL 15.231 to 15.246.

(10) The legislative council shall provide the commission with suitable office space, staff, and necessary equipment.

History: Add. 2014, Act 465, Imd. Eff. Jan. 12, 2015.